

ZEMAN & WOMBLE, LLP

KEN WOMBLE
20 VESEY STREET, RM 400
NEW YORK, NY 10007

P (718) 514 - 9100
F (917) 210 - 3700

WOMBLE@ZEMANWOMBLELAW.COM

WWW.ZEMANWOMBLELAW.COM

VIA E-MAIL

Hon. Valerie E. Caproni
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 02/28/2022

February 28, 2022

MEMO ENDORSED

Re: *United States v. Raimundo Nieves*, 19 Cr. 862 (VEC)

Dear Judge Caproni:

I along with Stephen Turano represent Raimundo Nieves in the above-referenced matter and submit this letter requesting an adjournment of the sentencing currently scheduled for March 16, 2022.

On November 30, 2021, Mr. Nieves appeared before Your Honor and entered a plea of guilty. On December 27, 2021, in response to the surge of COVID cases from the omicron variant, MDC Brooklyn, where Mr. Nieves is detained, went on lockdown. On January 24, 2022, Your Honor approved funds for Mitigation Specialist Julie Smyth to join the defense team and assist in preparing for sentencing. Then, just as the BOP was lifting its COVID lockdown, an incident at a Texas facility caused another nationwide lockdown.

Due to these lockdowns, counsel was unable to meet with our client until last week. Ms. Smyth has not yet been able to meet with Mr. Nieves, although she intends to do so this week. The lack of access to our client has made it impossible to do the significant work required to properly prepare for sentencing. Accordingly, we request an adjournment of approximately 90 days to a date convenient for the Court's schedule.

Thank you for your consideration of this request.

Application GRANTED. Mr. Nieves' sentencing, which is currently scheduled for Wednesday, March 16, 2022 at 10:30 A.M., is hereby adjourned to **Monday, June 6, 2022 at 11:00 A.M.** Sentencing submissions are due no later than **Monday, May 23, 2022.**

SO ORDERED.



Date: February 28, 2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully submitted,



Ken Womble
Counsel for Raimundo Nieves